

REMARKS

The Office Action dated September 30, 2010, has been received. The above amendments and the following remarks are being submitted as a full and complete response thereto. Claims 1-13 are pending in this application. By this Amendment, claim 1 is amended. No new matter has been added. Reconsideration of the application is respectfully requested.

Entry of this Amendment is proper under 37 C.F.R. §1.116 since the amendments: (a) place the application in condition for allowance for the reasons discussed herein; (b) do not raise any new issues requiring further search and/or consideration on the part of the Examiner as the Amendment merely clarifies the claimed features of the invention; (c) satisfy a requirement of form asserted in the previous Office Action; and (D) place the application in better form for appeal, should an appeal be necessary. The Amendment is necessary and was not earlier presented because it is made in response to objections raised in the Final Rejection. Entry of the Amendment is thus respectfully requested.

The Office Action objects to the claims because of informalities. In view of the Amendments to the claims, withdrawal of the objection to the claims is respectfully requested.

In addition, in view of the above amendments, Applicant respectfully submits that these claims should be rejoined to the currently pending claims.

The Office Action rejects claims 4-6 and 11 under 35 U.S.C. §112, first paragraph. Applicants submit that support for the subject matter of the claims can be found in the Specification at **page 21 line 32 to page 23 line 6** Accordingly, withdrawal of the rejection of the claims under 35 U.S.C. §112, first paragraph, is respectfully requested.

The Office Action rejects claims 4 and 11 under 35 U.S.C. §112, second paragraph. Claim 4 is amended to overcome the rejection. Accordingly, withdrawal of the rejection of the claims under 35 U.S.C. §112, second paragraph, is respectfully requested.

The Office Action rejects claims 1-3 and 7-12 under 35 U.S.C. §102(e) as being anticipated by Alhadeef (U.S. Patent No. 7,187,401). The rejection is respectfully traversed.

In particular, Alhadeef fails to disclose or suggest at least a method of embedding images from other sources within images captured by a viewing device in motion, by transmitting and analyzing the positional coordinates of the viewing device during acquisition of a sequence of video images (I) while the viewing device is moving through space along a trajectory (t) determined with respect to a defined reference point, the method including a preliminary step consisting of attaching said viewing device to a first subsystem which contains an inertial sensing unit delivering data signals representing spatial coordinates and instantaneous inclination and the focal length of said viewing device with respect to said defined reference point, a first step of acquiring, in real time, of said data signals during the movement of said viewing device along said trajectory (t) and the transmission of said data signals to a second subsystem which includes equipment for processing said data signals using a stored software program, wherein the equipment is a module removable from the viewing device, and a second step of processing said data signals, either in real time or deferred for later analysis, so as to determine said spatial coordinates of the viewing device, and improving the quality of the acquired data signals by applying an image analysis procedure, as recited in independent claim 1.

Alhadeef teaches a system for three-dimensionally modelling and restituting a subject (Abstract), and a subsystem 2 constituted by a housing 3 that includes a rigid cell 30 with optical units 32a for taking pictures in natural light, 32b, a thermal optical unit 33, an integrated light projector 39a and a scanning laser 34 (Fig. 2A; Col. 7, lines 35-49). Alhadeef

also teaches that the acquired data is “integrated in a database and recorded in the storage means provided in the service housing 4” (Fig. 2C; Col. 15, lines 14-16). The Office Action associates this teaching to the claimed equipment for processing the data signals (Office Action, page 9, lines 5-7). A closer examination of Alhadeff reveals that the equipment for processing the data signals is part of the housing 4. There is no teaching in Alhadeff that the housing 4 is removable from the housing 3.

In addition, Alhadeff teaches that the “locating of images” can be improved (Col. 13, lines 63-66), but fails to teach applying an image analysis procedure to the data, as also recited in independent claim 1.

Alhadeff fails to teach the specifically recited features of the equipment being a module removable from the viewing device, and of applying an image analysis procedure to the acquired data, as recited in amended claim 1. Thus, Alhadeff fails to teach each and every feature of independent claim 1.

Should the Patent Office determine that the above feature would be obvious over Alhadeff, Applicant respectfully reminds the Patent Office that the current application and the Alhadeff reference share the same Assignee (Yodea), and that the Alhadeff reference is only prior art under 35 U.S.C. §102(e). Accordingly, according the exception granted under 35 U.S.C. §103(c), Alhadeff cannot be relied on by the Patent Office to preclude patentability of the current invention.

For at least a combination of the reasons above, Alhadeff fails to disclose, suggest or render obvious all the features of independent claim 1. Thus, independent claim 1 is patentable over Alhadeff. Claims 2-13, at least for being dependent from patentable claim 1, and for the additional features recited therein, are also patentable over Alhadeff.

Accordingly, claims 1-13 are patentable over the Alhadeff reference, and withdrawal of the rejection of the claims under 35 U.S.C. 103(a) is respectfully requested.

Should the Examiner determine that further action is necessary to place this application into better form for allowance, the Examiner is encouraged to telephone the undersigned Applicant at the number listed below. Accordingly, prompt consideration and allowance of this application are respectfully requested.

Respectfully submitted,



Laurent Alhadeff